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S E C R E T SECTION 01 OF 02 MANILA 003707

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STATE FOR IO/PSC

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TAGS: [EFIN](#) [ETTC](#) [PTER](#) [UNSC](#) [RP](#)  
SUBJECT: PHILIPPINE RSM 1267 NOMINATION

REF: A. MANILA 1813  
[1](#)B. MANILA 3693  
[1](#)C. SECSTATE 71960  
[1](#)D. ALLAN-MEMMOTT EMAIL OF 10/20/2007

Classified By: Ambassador Kristie A. Kenney for reasons 1.4(b) and (d)

[1](#)1. (S) Summary: Philippine National Intelligence Coordinating Agency (NICA) Director General Cesar Garcia told emboffs at a November 16 meeting that the Philippines had submitted three months ago its nomination package to the United Nations 1267 Committee to designate the Rajah Solaiman Movement (RSM) as a terrorist organization. The 1267 Committee rejected the nomination for insufficient identification of the individuals named, but NICA has now revised the nomination and is ready to re-submit it. The revised nomination package also lists eight RSM members to be designated as terrorists. A second Philippine nomination package of eight Jemaah Islamiya (JI) members will be ready for submission to the 1267 Committee soon. General Garcia noted that a recent bombing at the Philippine Congress (ref B) may help NICA's efforts to play a more active role in regional terror programs as well as push terror designations. End summary.

Philippines Human Security Act  
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[1](#)2. (S) During a meeting of Philippine and U.S. interagency teams on November 16, NICA officials discussed both the new Philippine Human Security Act (HSA) and developments in Philippine efforts seeking UN and domestic terrorist designations. The NICA clarified that the HSA, which went into effect on July 15, 2007, had no impact on Philippine efforts to obtain UN 1267 Committee designation of RSM as a terrorist organization. The HSA only affected efforts to designate under Philippine domestic law. The NICA noted the HSA contains 62 provisions, but only four provisions were regarding penalties on terrorists, while 22 provisions were regarding penalties on law enforcement officials who violated the rights of suspected terrorists. Further, the HSA requires that a domestic designation of a terrorist organization be based on activities committed after the law went into effect on July 15. Since RSM is not known to have carried out activities since in the past three months, this has complicated efforts to designate RSM as a terrorist organization under domestic law. However, NICA officials also noted the HSA offered new tools such as surveillance and wiretaps of suspected terrorists without court warrants.

Submissions Seeking UN designation  
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13. (S) NICA explained the HSA has not impeded Philippine efforts to seek UN designation of RSM as a terrorist organization. UN designation of the RSM would still empower Philippine authorities to freeze assets, deny entry, and deny material support for the organization and its members, but would not empower Philippine authorities to make any arrests.

14. (S) NICA said it had already submitted its package of evidence against RSM to the UN 1267 Committee about three months ago. However, the Committee had rejected the nomination because of a lack of sufficient identification of the individuals named. In addition to evidence against the RSM organization, this "package one" contained the names of nine RSM members that the Philippines sought to have designated as terrorists. NICA displayed a package of documents which had been revised after consultations with the 1267 Committee and was now ready to be re-submitted. The name of one RSM member, Mariano Ahmad Lamarda, had been dropped from the package. NICA mentioned that it also had a "package two" of evidence against eight JI members that it hoped to submit to the 1267 Committee in the near future. NICA noted that arrest warrants had already been issued for all eight RSM members mentioned in package one, and that most were already in custody.

15. (S) NICA said that in its capacity as head of the newly formed Anti-Terror Committee (ATC, a new organization established by the HSA) it could make submissions directly to the Philippine Department of Foreign Affairs without sending them through the National Security Advisor. Also in its capacity as head of the ATC, NICA said it was considering hosting the next meeting of the ASEAN 1267 Committee (a group composed of the Philippines, Indonesia, Malaysia, Singapore, and Thailand) in February 2008. The Philippines wished to

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discuss regional trade in ammonium nitrate, used in making bombs, at this meeting. NICA said political support for its efforts to play a more active role in regional anti-terror programs, along with terror designation efforts, were boosted by the recent bomb attack at the Philippine Congress (ref B) which allegedly involved members of the Abu Sayaff Group, a U.S.-listed terror organization.  
KENNEY